

**Page Denied**

100TH CONGRESS  
1ST SESSION

# H. R. 2083

To impose travel restrictions on the personnel of certain foreign missions and  
foreign organizations in the United States.

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## IN THE HOUSE OF REPRESENTATIVES

APRIL 9, 1987

Mr. SWINDALL introduced the following bill; which was referred to the Committee  
on Foreign Affairs

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## A BILL

To impose travel restrictions on the personnel of certain foreign  
missions and foreign organizations in the United States.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. TRAVEL RESTRICTIONS WITH RESPECT TO CER-**  
4 **TAIN FOREIGN MISSIONS AND FOREIGN ORGA-**  
5 **NIZATIONS IN THE UNITED STATES.**

6 (a) IMPOSITION OF RESTRICTIONS.—The State De-  
7 partment Basic Authorities Act of 1956 (as amended by sec-  
8 tion 128) is amended by adding at the end of title II (22  
9 U.S.C. 4301 et seq.; commonly referred to as the “Foreign  
10 Missions Act”) the following:

1 **"SEC. 216. TRAVEL RESTRICTIONS WITH RESPECT TO CERTAIN**  
2 **FOREIGN MISSIONS AND FOREIGN ORGANIZA-**  
3 **TIONS IN THE UNITED STATES.**

4 **"(a) TRAVEL RESTRICTIONS.—**The travel of any indi-  
5 vidual while in the United States, other than a national or  
6 permanent resident alien of the United States, who is one of  
7 the personnel of—

8 **"(1) an international organization defined in sec-**  
9 **tion 209(b)(1),**

10 **"(2) an official mission to an organization defined**  
11 **in section 209(b)(1) from a country specified in subsec-**  
12 **tion (c)(1),**

13 **"(3) any organization specified in subsection (c)(2)**  
14 **which has a standing invitation to participate in the**  
15 **sessions and the work of the General Assembly of the**  
16 **United Nations as an observer and maintains a perma-**  
17 **nent office at the United Nations headquarters,**

18 **"(4) any organization specified in subsection (c)(2)**  
19 **which is not described in paragraph (3), or**

20 **(5) any foreign mission (as defined in section**  
21 **202(4)) of a country specified in subsection (c)(1),**

22 **shall be limited to the municipal city limits of the city in**  
23 **which such organization or mission is located, except that for**  
24 **purposes of travel between missions of a country, direct**  
25 **access shall be permitted to and from airports serviced by**  
26 **major air carriers providing interstate or intrastate service.**

1       “(b) SPECIAL RULE FOR WASHINGTON, DISTRICT OF  
2 COLUMBIA.—For purposes of paragraphs (4) and (5) of sub-  
3 section (a), the metropolitan area of Washington, District of  
4 Columbia, is that portion of the area which is encircled by  
5 interstate route 495 on the west and and 95 on the east  
6 (commonly referred to as the ‘Beltway’).

7       “(c) COUNTRIES AND ORGANIZATIONS TO WHICH RE-  
8 STRICTION APPLIES.—

9           “(1) The countries referred to in subsection (a) are  
10 Afghanistan, Algeria, Angola, the Czechoslovak So-  
11 cialist Republic, the Democratic People’s Republic of  
12 Korea, Ethiopia, the German Democratic Republic, the  
13 Hungarian People’s Republic, Iran, Iraq, Laos, Libya,  
14 the Mongolian People’s Republic, Mozambique, Nicara-  
15 gua, the People’s Democratic Republic of Yemen, the  
16 People’s Republic of Bulgaria, the People’s Republic of  
17 China, the Polish People’s Republic, the Republic of  
18 Cuba, the Socialist Federal Republic of Yugoslavia, the  
19 Socialist Republic of Romania, the Socialist Republic  
20 of Vietnam, Syria, and the Union of Soviet Socialist  
21 Republics (including the Byelorussian S.S.R. and the  
22 Ukrainian S.S.R.).

23           “(2) The organizations referred to in subsection  
24 (a)(1) are the African National Congress, the Palestine

1 Liberation Organization, and the South West Africa  
2 People's Organization.

3 "(d) WAIVER.—The Attorney General of the United  
4 States may waive the restrictions in subsection (a) if the At-  
5 torney General, in consultation with the Secretary, deter-  
6 mines and reports to the Committee on the Judiciary, the  
7 Committee on Foreign Affairs, and the Permanent Select  
8 Committee on Intelligence of the House of Representatives  
9 and the Committee on the Judiciary, the Committee on For-  
10 eign Relations, and the Select Committee on Intelligence of  
11 the Senate that—

12 "(1) the national security and foreign policy inter-  
13 ests of the United States require that such restrictions  
14 be waived in specific circumstances with respect to the  
15 missions of a country; or

16 "(2) the national security and foreign policy inter-  
17 ests of the United States require that such restrictions  
18 be waived in specific circumstances with respect to an  
19 individual."

20 (b) EFFECTIVE DATE.—The amendment made by sub-  
21 section (a) shall take effect 90 days after the date of enact-  
22 ment of this Act.

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Manton	Penny	Smith, Robert
Markey	Pepper	(OR)
Marlenee	Perkins	Snowe
Martin (NY)	Petri	Solarz
Martinez	Pickett	Solomon
Matsui	Pickle	Spence
Mavroules	Porter	Spratt
Mazzoli	Price (IL)	St Germain
McCandless	Price (NC)	Staggers
McCloskey	Pursell	Stallings
McCollum	Quillen	Stangeland
McCurdy	Rahall	Stark
McDade	Ravenel	Stenholm
McEwen	Regula	Stokes
McGrath	Rhodes	Stratton
McHugh	Richardson	Studds
McMillan (NC)	Ridge	Stump
McMillen (MD)	Ritter	Sundquist
Meyers	Roberts	Sweeney
Mfume	Robinson	Swift
Mica	Rodino	Swindall
Michel	Roe	Syrar
Miller (CA)	Rogers	Tallon
Miller (OH)	Rose	Tauke
Miller (WA)	Roth	Taylor
Mineta	Roukema	Thomas (CA)
Moakley	Rowland (CT)	Thomas (GA)
Molinaro	Rowland (GA)	Torres
Mollohan	Russo	Torricelli
Montgomery	Sabo	Towns
Moody	Saiki	Trafficant
Moorhead	Savage	Traxler
Morella	Sawyer	Udall
Morrison (CT)	Schaefer	Upton
Morrison (WA)	Scheuer	Valentine
Mrazek	Schneider	Vander Jagt
Murphy	Schroeder	Vento
Murtha	Schuette	Visclosky
Myers	Schulze	Volkmer
Nagle	Sensenbrenner	Vucanovich
Natcher	Sharp	Walgren
Neal	Shaw	Walker
Nelson	Shumway	Watkins
Nichols	Shuster	Weber
Nielson	Sikorski	Weiss
Nowak	Sisisky	Weldon
Oakar	Skaggs	Wheat
Oberstar	Skeen	Whittaker
Obey	Skelton	Whitten
Olin	Slattery	Williams
Ortiz	Slaughter (NY)	Wilson
Owens (NY)	Slaughter (VA)	Wise
Owens (UT)	Smith (FL)	Wolf
Oxley	Smith (IA)	Wolpe
Packard	Smith (NE)	Wortley
Panetta	Smith (NJ)	Wyden
Parris	Smith (TX)	Wylie
Pashayan	Smith, Denny	Yates
Patterson	(OR)	Yatron
Pease	Smith, Robert	Young (AK)
Pelosi	(NH)	Young (FL)

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The CHAIRMAN. Four hundred two Members have answered to their names, a quorum is present, and the Committee will resume its business.

Does the gentleman from New Jersey [Mr. GALLO] insist upon his request for a recorded vote?

Mr. GALLO. Mr. Chairman, I do not.

The CHAIRMAN. Pursuant to the voice vote prior to the quorum call and the Chair's announcement that the ayes appeared to have it, the amendments are agreed to.

So the amendments were agreed to.

## AMENDMENT OFFERED BY MR. SWINDALL

Mr. SWINDALL. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. SWINDALL:  
Page 27, after line 13, add the following:

SEC. 116. TRAVEL RESTRICTIONS WITH RESPECT TO CERTAIN FOREIGN MISSIONS AND FOREIGN ORGANIZATIONS IN THE UNITED STATES.

(a) IMPOSITION OF RESTRICTIONS.—The State Department Basic Authorities Act of 1956 (as amended by section 128) is amended by adding at the end of title II (22 U.S.C.

4301 et seq.; commonly referred to as the "Foreign Missions Act") the following:

"SEC. 116. TRAVEL RESTRICTIONS WITH RESPECT TO CERTAIN FOREIGN MISSIONS AND FOREIGN ORGANIZATIONS IN THE UNITED STATES

"(a) TRAVEL RESTRICTIONS.—The travel of any individual while in the United States, other than a national or permanent resident alien of the United States, who is one of the personnel of—

"(1) an international organization defined in section 209(b)(1),

"(2) an official mission to an organization defined in section 209(b)(1) from a country specified in subsection (c)(1),

"(3) any organization specified in subsection (c)(2) which has a standing invitation to participate in the sessions and the work of the General Assembly of the United Nations as an observer and maintains a permanent office at the United Nations headquarters,

"(4) any organization specified in subsection (c)(2) which is not described in paragraph (3), or

"(5) any foreign mission (as defined in section 202(4)) of a country specified in subsection (c)(1),

shall be limited to the municipal city limits of the city in which such organization or mission is located, except that for purposes of travel between missions of a country, direct access shall be permitted to the form airports serviced by major air carriers providing interstate or interstate service.

"(b) SPECIAL RULE FOR WASHINGTON, DISTRICT OF COLUMBIA.—For purposes of paragraphs (4) and (5) of subsection (a), the metropolitan area of Washington, District of Columbia, is that portion of the area which is encircled by interstate route 495 on the west and 95 on the east (commonly referred to as the 'Beltway').

"(c) COUNTRIES AND ORGANIZATIONS TO WHICH RESTRICTION APPLIES.—

"(1) The countries referred to in subsection (a) are Afghanistan, the Czechoslovak Socialist Republic, the Democratic People's Republic of Korea, the German Democratic Republic, the Hungarian People's Republic, Iran, Libya, the Mongolian People's Republic, Nicaragua, the People's Democratic Republic of Yemen, the People's Republic of Bulgaria, the People's Republic of China, the Polish People's Republic, the Republic of Cuba, the Socialist Republic of Romania, the Socialist Republic of Vietnam, and the Union of Soviet Socialist Republics (including the Byelorussian S.S.R. and the Ukrainian S.S.R.).

"(2) The organizations referred to in subsection (a)(1) are the African National Congress, the Palestine Liberation Organization, and the South West Africa People's Organization.

"(d) WAIVER.—The Secretary of State, after consultation with the Director of Central Intelligence and the Director of the Federal Bureau of Investigation may waive the restrictions in subsection (a) if the Secretary determines that the national security and foreign policy interests of the United States require that such restrictions be waived.

Mr. SWINDALL (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. SWINDALL. Mr. Chairman, I ask unanimous consent that my amendment be considered with modifications which are at the desk and which the majority and the minority have already seen.

The CHAIRMAN. The Clerk will report the modifications.

The Clerk read as follows:

Modifications to the amendment offered by Mr. SWINDALL: Page 3, line 8, strike "Syria".

Page 3, line 15, strike "Attorney General of the United States" and insert "Secretary of State, after consultation with the Director of Central Intelligence and the Director of the Federal Bureau of Investigation".

Page 3, line 16, after "subsection (a)", strike the balance of line 16 and the language through line 23 and insert "if the Secretary determines that".

Page 3, line 23, strike the dash, and on line 24 strike "(1)".

Page 4, line 1, after "waived", insert a period and question mark and delete the balance of line 1 and the ensuing language through line 21.

Mr. SWINDALL (during the reading). Mr. Chairman, I ask unanimous consent that the modifications be considered as read and printed in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Georgia?

Mr. WEISS. Mr. Chairman, I object. I have not been able to hear the amendment.

The CHAIRMAN. Objection is heard.

The business of the committee cannot continue unless we have better order.

## PARLIAMENTARY INQUIRY

Mr. MICA. Mr. Chairman, I have a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. MICA. Mr. Chairman, I would like to know if the situation is correct as I have stated it.

We had a vote prior to the quorum call on the en bloc amendments. The en bloc amendments were approved, but there was a quorum call and a possible call for a recorded vote. After the quorum call, there was a decision not to request a recorded vote, so we are now moving on in regular order for amendments, with amendments to this bill.

An amendment has been offered, and there has been an objection raised as to whether or not the amendment would be accepted at this time pending the quorum in the House; is that correct?

The CHAIRMAN. That is correct. And the objection was raised on the basis that the gentleman from New York could not hear the unanimous-consent request of the gentleman from Georgia to dispense with the reading of his proposed modification of his pending amendment.

Mr. WEISS. Mr. Chairman, I could not hear, and so I did not know what

the request of the gentleman would appreciate it if the gentleman would restate his unanimous consent request.

The CHAIRMAN. The Chair understands that the gentleman made a unanimous consent request, and the gentleman from New York reserved the right to object.

Mr. WEISS. I did, yes, Mr. Chairman.

The CHAIRMAN. The Chair will again try to achieve order in the Chamber.

The Chair recognizes the gentleman from Georgia to restate his unanimous-consent request.

Mr. SWINDALL. Mr. Chairman, my unanimous consent request is that my amendment be considered with modifications at the desk which the majority and the minority have already seen. I have an amendment which I have modified, and that modification is currently at the desk. It has been distributed literally 48 hours ago.

Mr. WEISS. Mr. Chairman, on that basis, I withdraw my objection.

The CHAIRMAN. Is there objection to the request of the gentleman from Georgia?

There was no objection.

The test of the amendment, as modified, is as follows:

Amendment offered by Mr. SWINDALL, as modified: Page 27, after line 13, add the following:

SEC. 137. TRAVEL RESTRICTIONS WITH RESPECT TO CERTAIN FOREIGN MISSIONS AND FOREIGN ORGANIZATIONS IN THE UNITED STATES.

(a) IMPOSITION OF RESTRICTIONS.—The State Department Basic Authorities Act of 1956 (as amended by section 128) is amended by adding at the end of title II (22 U.S.C. 4301 et seq.; commonly referred to as the "Foreign Missions Act") the following:

"SEC. 216. TRAVEL RESTRICTIONS WITH RESPECT TO CERTAIN FOREIGN MISSIONS AND FOREIGN ORGANIZATIONS IN THE UNITED STATES.

"(a) TRAVEL RESTRICTIONS.—The travel of any individual while in the United States, other than a national or permanent resident alien of the United States, who is one of the personnel of—

"(1) an international organization defined in section 209(b)(1),

"(2) an official mission to an organization defined in section 209(b)(1) from a country specified in subsection (c)(1),

"(3) any organization specified in subsection (c)(2) which has a standing invitation to participate in the session and the work of the General Assembly of the United Nations as an observer and maintains a permanent office at the United Nations headquarters,

"(4) any organization specified in subsection (c)(2) which is not described in paragraph (3), or

"(5) any foreign mission (as defined in section 202(4)) of a country specified in subsection (c)(1),

shall be limited to the municipal city limits of the city in which such organization or mission is located, except that for purposes of travel between missions of a country, direct access shall be permitted to and from airports serviced by major air carriers providing interstate or intrastate service.

"(b) SPECIAL RULE FOR WASHINGTON, DISTRICT OF COLUMBIA.—For purposes of paragraphs (4) and (5) of subsection (a), the

metropolitan area of Washington, District of Columbia, is that portion of the area which is encircled by interstate route 495 on the west and 95 on the east (commonly referred to as the 'Beltway').

"(c) COUNTRIES AND ORGANIZATIONS TO WHICH RESTRICTION APPLIES.—

"(1) The countries referred to in subsection (a) are Afghanistan, the Czechoslovak Socialist Republic, the Democratic People's Republic of Korea, the German Democratic Republic, the Hungarian People's Republic, Iran, Libya, the Mongolian People's Republic, Nicaragua, the People's Democratic Republic of Yemen, the People's Republic of Bulgaria, the People's Republic of China, the Polish People's Republic, the Republic of Cuba, the Socialist Republic of Romania, the Socialist Republic of Vietnam, and the Union of Soviet Socialist Republics (including the Byelorussian S.S.R. and the Ukrainian S.S.R.).

"(2) The organizations referred to in subsection (a)(1) are the African National Congress, the Palestine Liberation Organization, and the South West Africa People's Organization.

"(d) WAIVER.—The Secretary of State, after consultation with the Director of Central Intelligence and the Director of the Federal Bureau of Investigation determines the national security and foreign policy interests of the United States require that such restrictions be waived.

The CHAIRMAN. The gentleman from Georgia [Mr. SWINDALL] is recognized for 5 minutes in support of his amendment.

Mr. SWINDALL. Mr. Chairman, the purpose of my amendment, simply stated, is to limit spying within the borders of the United States. It does so by limiting travel within the United States by certain foreign employees of the United Nations missions to the U.N. and the U.N. Secretariat's office located in New York and foreign diplomats of the foreign embassies and consulates located in major cities, including Washington, DC, New York, Los Angeles, San Francisco, and Chicago, among many others.

The purpose of this amendment, as I stated, is to address a situation that is not new to the American people, but certainly in the last several years we have heard a great deal more about the problems presented by the Soviets and Soviet bloc countries spying within our borders. In short, they use foreign diplomats for spy purposes. That alone has cost us millions, if not billions of dollars in losses and damages to U.S. military programs and national security.

For example, from 1980 to 1981 Lt. Christopher Cooke, Deputy Commander of the Air Force Titan missile crew, passed classified information to the Soviets on United States strategic missile capabilities. In 1984 Thomas Cavanaugh, an engineer for the Northrop Corp., tried to sell Stealth technology to the Soviet that cost literally a million dollars per hour in Stealth research. From 1979 to 1981 James Harper sold Minuteman missile technology to Polish intelligence authorities. More recently, John Walker and Jerry Whitworth passed cryptographic material to the Soviets on United States naval communications. This en-

abled the Soviets to read over a million coded messages over 20 years.

In addition to that, we expend millions of dollars each year for FBI surveillance of these individuals who are spying here. One of the reasons it costs so much is that they are limited under current law to only a 25-mile radius. Others are literally restricted in no fashion whatsoever.

According to the Senate Intelligence Committee, up to one-quarter of the Soviet and Soviet bloc diplomats and employees are KGB. Let me read just briefly, Mr. Chairman, one of the reports of the Senate Intelligence Committee.

It states that "The Soviet presence in the U.N. Secretariat is comprised of one-fourth of the Soviets that are KGB or co-opted by the KGB and GRU. All Soviets in the Secretariat must respond to KGB requests for assistance. The Soviet intelligence services use their U.N. assignments to collect information on U.N. activities; to spot, assess, and recruit agents; to support worldwide intelligence operations, and to collect scientific and technological information of value to the U.S.S.R." According to the FBI, U.N.-based Soviet intelligence officers are assisted by the intelligence services of the East Bloc European Soviet satellites.

It is these nations that we are under my amendment going to slap travel restrictions upon. With the exception of Libya, today all of the Soviet Bloc countries can travel up to 25 miles away from a city.

Let me give an example of what that entails. These East Bloc diplomats are not subject to the closed-area restrictions that the United States reciprocally places on the military of the Soviets. Thus in just 3 hours they can legally drive to Fort Dix military reservation near Browns Mill, NJ, operating out of New York, or to the submarine construction facility at Groton, CT.

To make matters worse, the Hungarians and the Romanians are currently under no restrictions whatsoever. They are not even under the 25-mile restriction. This is a serious oversight in our own intelligence.

The purpose of this amendment would be to expand the number of restricted countries to include East Germany, Poland, Czechoslovakia, Bulgaria, Hungary, Romania, Cuba, Nicaragua, and a list of others and to expand the number of organizations to include at least the PLO, SWAPO, and the ANC.

The restriction that we have placed at Washington, DC, if this amendment is adopted, would be basically within the Beltway. In New York it would be a restriction to the five-borough area. Elsewhere it would be the statutory city limits.

In essence, Mr. Chairman, by adopting this amendment we would save ourselves millions of dollars in countersurveillance that we now expend



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for the FBI by bringing down the amount of broad geographic area which they must observe and keep surveillance upon from a 25-mile radius to roughly a statutory city limit radius, and in the case of Washington, DC, the beltway.

The CHAIRMAN. The time of the gentleman from Georgia [Mr. SWINDALL] has expired.

(By unanimous consent, Mr. SWINDALL was allowed to proceed for 20 additional seconds.)

Mr. SWINDALL. Mr. Chairman, the other aspect of this bill is that it would save us billions and billions of dollars with respect to what we lose to the Soviet Union in stolen technology.

Lastly, I would say that there is a concern that we would be retaliated against by some of the East Bloc countries, and I would say that we have so much more to protect than do the East Bloc countries that that is a small price to pay for the American people.

Mr. MICA. Mr. Chairman, I rise in opposition to this amendment.

Mr. Chairman, I do not want to take too much time on this matter, but I do want to say that I understand that my colleague, the gentlewoman from Maine [Ms. SNOWE], will also oppose the amendment. It is not that we do not have any interest in controlling and, where necessary, to restrict the movements of diplomats in the United States. We have tried to assess the impact of this amendment. The committee has talked directly with the CIA and with our own intelligence community. The basic problem with the way this piece of legislation is drafted is that ultimately we will win only the first move.

We restrict the movements of foreign diplomats in New York City and in Washington. But, at the same time, American diplomats, today enjoy such free access in a number of East Bloc countries we would lose 80 percent of the freedom we have under this amendment.

As chairman of the subcommittee—and I might ask my ranking minority member to work with me on this—we might be able to fashion legislation that would accomplish this goal. But we do have concerns about the amendment offered today without the benefit of any further study. I would accept the view of the Director of the CIA that the ultimate problem with this amendment, as worded, is that we would end up briefly restricting some foreign diplomats and mission officials in the United States, an action which will trigger a reprisal under the guise of reciprocity aimed against American diplomats around the world. As I have said we would lose about 80 percent of the time.

Mr. BURTON of Indiana. Mr. Chairman, will the gentleman yield?

Mr. MICA. I yield to the gentleman from Indiana.

Mr. BURTON of Indiana. Mr. Chairman, let me get this straight. I think

the gentleman just said that this would restrict the mobility of our agents in Communist bloc countries or that there might be retaliatory action that might be taken and it would be to the detriment of the United States.

I wish the gentleman would elaborate on or illuminate that statement a little bit more for me. It seems to me that we have beaucoup Communist bloc agents in this country who are able to go almost anywhere, at will, and I do not see how it is going to be counterproductive if we restrict them just a little bit. If there is some kind of a point that I am missing here, I would like to know more about it.

Mr. MICA. Mr. Chairman, let me again just state this: I do not have the numbers at hand, but the committee has consulted with the Director of the CIA and our intelligence community. First, the U.S. Government has already moved recently to tighten restrictions on Soviets traveling in the United States.

Second, American diplomats throughout the world are given pretty free latitude in a number of countries, including some East bloc countries, to travel. Yet, if we enforce this amendment, we have been told it is almost a certainty that countries affected will take total reciprocal action on this matter, and if it is applied to the numbers worldwide, we will lose in 80 percent of the benefits we enjoy today.

Mr. BURTON of Indiana. Mr. Chairman, if I might follow up on that, my colleague who is sponsoring the amendment indicated that 25 percent of the Soviet bloc employees at the U.N. are KGB agents. They are Communist spies. Is the gentleman saying that the people who are going to be hampered, our American citizens around the world, are also spies?

Mr. MICA. Mr. Chairman, I disagree with the gentleman and I disagree with that number. I would say that it is probably a higher number. But that does not change the net result. If we restrict the movement of foreign diplomats the way the amendment proposes, we seriously run the risk of having the countries named in the amendment take similar steps against our people. In 80 percent of the cases, we will lose an advantage we have enjoyed for some time. What I would like to do is work it out so that at least we have a parity, that we restrict in such a manner that will properly take into account our interests overseas. If not, we will ultimately end up having some of our numbers restricted three times more.

Mr. BURMAN. Mr. Chairman, will the gentleman yield?

Mr. MICA. I yield to the gentleman from California.

Mr. BURMAN. Mr. Chairman, I thank the gentleman for yielding. I appreciate the gentleman's comments, and I agree with them.

I would like to ask the gentleman a few questions. Am I correct in my un-

derstanding that the administration opposes this amendment?

Mr. MICA. Yes. The Director of the CIA have asked us to strongly oppose this because, although they agree with the intent, they continue to say that as carried out on a second and third move, we would lose, as I said, 80 percent of the time.

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Mr. BERMAN. I appreciate knowing and being sure of that opposition by the administration to this amendment.

Am I also correct in my understanding that this administration and this Secretary of State could do every single thing provided for in this amendment under Executive discretion, if he thought it were wise to do so?

Mr. MICA. Absolutely.

The CHAIRMAN. The time of the gentleman from Florida has expired.

(At the request of Mr. BERMAN, and by unanimous consent, Mr. MICA was allowed to proceed for 3 additional minutes.)

Mr. MICA. The administration at this time can do everything in this amendment under existing authority. Under this amendment, there would be no mandatory enforcement because the Secretary does have a waiver. So that in essence, the only thing that we might care to do beyond this is micro-manage. We do not have the ability right now. Maybe we need it in the future.

Mr. BERMAN. Mr. Chairman, if the gentleman will yield further, I have several more questions.

It is also my understanding that based on a very clear record, evidence from the historical record, these types of restrictions would naturally result in similar restrictions within the countries who they are imposed upon; is that correct?

Mr. MICA. That is correct.

Mr. BERMAN. And would not those kinds of restrictions in those countries limit the ability of our embassies and our diplomats in those countries to deal with contacting and outreach to people who are victims of the kinds of human rights violations and oppression and who need help in facilitating emigration and other kinds of assistance to this country?

Mr. MICA. Absolutely, and without a doubt we could name the list throughout the East bloc, of countries where we do have access to numerous groups from the refusniks on down the line that could be restricted, under the amendment.

Mr. BERMAN. I also note that the People's Republic of China is one of the countries mentioned on this list. Would my understanding of the restrictions imposed by this amendment, which the administration opposes, be that the commercial attaches of the Chinese Embassy in this country seeking to work with American exporters on permitted exportable technologies

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in this country would be restricted from visiting the plants and the corporate headquarters in these companies that fell outside the limited geographic areas that would be imposed by these restrictions?

Mr. MICA. The gentleman is absolutely correct, but I just want to restate this. I do not oppose this amendment simply because the administration opposes it or because the CIA opposes it, but because in the long run, and I have said it several times, I will say it again, we will lose in 80 percent of the cases.

I would like to structure this, if we get the opportunity in the future, so that we get some kind of parity.

Mr. BERMAN. Mr. Chairman, I thank the gentleman.

Ms. SNOWE. Mr. Chairman, will the gentleman yield?

Mr. MICA. I am happy to yield to the gentlewoman from Maine.

Ms. SNOWE. Mr. Chairman, I thank the gentleman for yielding.

I must correct the gentleman's statement on the fact that I am in opposition to this amendment. I did have concerns with the original amendment of the gentleman from Georgia, which would have restricted the ability of the Secretary and discretion in imposing these restrictions; but as I understand it now, reading the gentleman's amendment, he provides a waiver which states that the Secretary of State after consultation with the Director of the Central Intelligence Agency, as well as the Federal Bureau of Investigation, can make his determinations as to whether or not the Secretary should impose restrictions.

As we know in the course of the hearings that we have held by the subcommittee in the case of Arkady Shevchenko indicated the scope and the nature of the Soviet bloc personnel working at the United Nations, engaged in intelligence gathering.

I do not think, obviously, that we want to hamper the ability of the Secretary of State in imposing these restrictions, because we could invite reciprocity in these countries, and obviously it would make it difficult for us to conduct our own activities; but I think the flexibility invites the support of the Members of the House, because it does provide that discretion.

Mr. BURTON of Indiana. Mr. Chairman. I move to strike the requisite number of words.

I think the gentlewoman makes a very good point. There is a waiver. It was not mentioned by my colleague on the other side of the aisle.

The Secretary of State, after consultation with the CIA Director and the FBI, can waive this provision if they feel it is necessary; but let us get at the real issue, I think, and that is that around the world in the last 16 years, 700 Soviet agents have been expelled from various countries. That does not include other Communist-bloc countries

In the United States, since 1947, 66 Soviet employees have been expelled. They are working very hard to get whatever intelligence data they can to spy on the United States at every opportunity. We need to do everything we possibly can to curtail that activity.

I think the gentleman from Georgia has a very fine amendment, one that everybody in this body ought to embrace if they are really going to try to get at the problems we have been facing regarding spying and the tremendous loss of intelligence data that has been going to the Soviet Union.

In addition to that, we have lost an awful lot of technology that has undermined the security of the United States.

Now, one more point that I would like to make, and then I will yield to the gentleman from Georgia.

The gentleman from Florida indicated that this affects commercial attachés. I would like to point out that it does not affect commercial attaches. It only affects diplomats. I think that point needs to be made very clear.

Mr. SWINDALL. Mr. Chairman, will the gentleman yield?

Mr. BURTON of Indiana. I am happy to yield to my colleague, the gentleman from Georgia.

Mr. SWINDALL. Mr. Chairman, I would just like briefly to respond by saying, first and foremost, the waiver provision here addresses virtually every concern that the gentleman from California and the gentleman from Florida have already stated; but what I think needs to be addressed with respect to the comment of the gentleman from Florida about micro-management is this. It is this Congress that bears the responsibility of appropriations. It is this Congress that bears the responsibility of the \$2 trillion debt that we currently are passing along to our children and our grandchildren, and part of that debt has been accumulated because we have to spend more on defense in order to basically do research to pass along, inadvertently, but nonetheless it is still being passed along to the Soviet Union, because through our own ignorance, naivete, or whatever, we allow literally hundreds of KGB and spy activities to occur under our very noses, and what makes this that much more I think naive is that we are a free society. Once these folks get outside of the restricted area, they basically can do whatever they choose. If you go to any of the Eastern-bloc countries, they do not really need any type of these restrictions anyway, because you cannot sneeze without someone being aware of what you are doing. Certainly that is not the case in this country. We would not want it to be the case.

One last point. A 1986 October Senate Intelligence report makes the following statement:

The hostile intelligence threat to the United States is severe, and it confronts the Government and the American people with increasingly serious challenges. The threat

spans all types of intelligence operations from traditional human espionage to the most sophisticated electronic devices. Every kind of sensitive information is vulnerable, including classified Government information, emerging technological breakthroughs, and private financial transactions. Foreign intelligence services also sometimes target the political process, seeking both information and influence.

We are not only talking about those individual spies, but we are talking about the recruitment that occurs as a result of our giving them, under diplomatic immunity, free access to this entire country in some cases and a 25-mile radius that is loosely enforced in the final case.

For no other reason, we ought to be concerned in terms of the financial impact in saying to the FBI and to the members of the Judiciary Committee, I can tell you they are already under-financed, that it is ludicrous to stand here today and leave them with that large an area for surveillance, when we could narrow the focus down to the statutory city limits inside the beltway in Washington and the five borough area of New York.

Mr. MICA. Mr. Chairman, will the gentleman yield?

Mr. SWINDALL. I yield to the gentleman from Florida.

Mr. MICA. Mr. Chairman, let me just make it clear, I do not oppose the goals of this. The only concern I have is that we are going to pass an amendment here that has a waiver here that everybody says they are going to exercise, the CIA, the FBI and the State Department.

Also I would add that the committee is concerned about this. We agree with everything that has been said.

The CHAIRMAN. The time of the gentleman from Indiana has expired.

(By unanimous consent, Mr. BURTON of Indiana was allowed to proceed for 2 additional minutes.)

Mr. MICA. Mr. Chairman, will the gentleman yield further?

Mr. BURTON of Indiana. I yield to the gentleman from Florida.

Mr. MICA. We agree, Mr. Chairman, with everything that has been said about the problem. We have, as I opened up and indicated, been advised that the way the language is drafted, it is ultimately going to hurt us.

I would just point out, too, that because we had such concern on this, we adopted a provision earlier in this bill 2 days ago, in H.R. 2410, that calls for studied moves on reciprocity and asks the State Department and all the agencies to join together to figure out the puzzle so that when all the pieces come together, we do not lose; but I do not disagree at all with the points that have been made. I have seen the figures. We have heard the testimony about the agents operating in this country.

I just want to move in a way that we can best be helpful, so I have no quarrel with what has been said, but a

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little bit about the way it is being done.

As I indicated, and as the gentleman said, it does have the waiver which the gentleman offered and which we accepted, and that waiver, we have been told, is all going to be exercised. Once it is exercised, everything that we say is already in law anyhow.

Mr. BURTON of Indiana. Mr. Chairman, let me just end up by saying that in the last couple of days it was brought out by the gentleman from California [Mr. HUNTER] that it is going to cost billions of dollars because of the loss of technology to the Soviet Union regarding the sale of high technology to the Soviets as far as submarines are concerned for us to bring our defenses up to snuff. Anything that this body can do to curtail espionage and Soviet activity of the KGB in this country should be done, and this legislation that we have in hand today I think is an excellent amendment. I commend the gentleman from Georgia for introducing it and I hope everybody in this body will embrace it and support it.

Mr. SMITH of Florida. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I want to commend the gentleman who proposed the amendment for what I consider to be basically an attempt to address a problem that all of us are concerned about. The problem is that, unfortunately, there has not really been a good answer up to this point and this amendment really does not go too far beyond what has already been thought about, and I am not saying that in the negative sense. It means that we still have a problem addressing this issue and we do not know exactly what to do.

My colleagues ought to be aware that this administration has already moved in certain areas to foreclose movement of certain of the organizations which would be affected, so we are talking about travel restrictions that already are being imposed on terrorists groups, like the PLO. They have already been imposed on Libya and they have already been imposed on other countries which are already on the list that the gentleman from Georgia has provided in the amendment.

But the problem of the amendment arises not in the intent, but in the execution. As has been said by both the gentleman from Florida and the gentleman from Maine and others, there is a problem here with limiting access of U.S. personnel overseas. That is a very, very big problem. It should not be downplayed.

Let me explain to you why, and I will be reading from a background paper from one of our intelligence agencies I would be happy to show it to anyone here. It is not classified, but I do not think it is any more germane to know which agency, and so it really is not appropriate. If anyone on the

other side would like to see it, I would be more than happy to show it to you.

But let me read:

c. The Swindall amendment, if enacted, would affect the Soviet and NSWP military attaches, and those of the other countries identified, very little. Last year, Soviet attaches made only seven trips outside metropolitan Washington. Destinations included: New York City; West Point; Florida via Alabama, North Carolina, Georgia; Los Angeles and Anaheim. A Czechoslovak attaché made the only trip by an NSWP attaché. Thus, one can deduce that their work does not oblige extensive travel. In contrast, for U.S. military attaches, travel in the Warsaw Pact and other countries above is the most significant issue in their ability to carry out their missions. In a closed society, the attaches *must* travel to observe and report on military activities. In 1986, a significant part of their work effort required travel outside the capital area.

d. In the event that travel restrictions are imposed for foreign personnel in the U.S., we foresee a strong possibility of reciprocal actions against our attaches that would diminish and restrict their work. For example, reciprocal actions might include closing major areas of military significance, restricting personnel to capital city or consular offices. At the same time, similar restrictions would not seriously affect foreign attaches because they rely very little on travel for their purposes. The net loss, then, would fall on the U.S. attaches.

Let me further continue. The amendment is written in such a fashion as to possibly also cover personnel in the mission of our allies. Thus, we might jeopardize their support for our efforts. With the exception of the U.S.S.R., right now United States diplomats may generally travel freely in all of the countries named in that amendment.

While the gentleman wants to do a noble thing, invoking this travel restriction could result in our being restricted in almost every country that is mentioned when we are not restricted now.

There are serious consequences. Not that the gentleman's amendment is wrongheaded—it is not. The problem is that we have attempted to deal with this—and the executive branch—the Secretary of State and the Department of State—already has the capability to do that under the current law—on a piecemeal basis so as not to have a blanket retaliation. And it is important for us not to have that retaliation, because we do the kind of work that is being done in those countries only because of our free access, even though we are fearful that they have the right to travel in this country.

Let me just say also that there is no enforcement mechanism in this amendment, so the reality is that there would be, unfortunately for us, no kicker in the event that they violate it.

Now, with the reference to the gentleman from Indiana and his assertion that this only covers diplomats, let me suggest to the gentleman that a reading of the statute would probably suggest otherwise. The Foreign Missions Act and the definition of foreign mis-

sions, and the personnel therein, is much broader than the gentleman would suggest, and I doubt very seriously whether we want to get into the area that has been explored by the gentleman from California here with references to commercial and other missions and all of the other ramifications.

I again reiterate, the gentleman from Georgia is not addressing a problem that does not exist. It is a real, legitimate problem. The problem that we have had for more than just the recent past is that we really have not found a satisfactory solution, and we really have not with this amendment found any better way than we have already reviewed over the course of years, and that is why we should oppose this amendment, but force the administration to continue to do what it has been doing, and that is close down and restrict travel when the circumstances warrant it, as they have in the past.

The CHAIRMAN. The time of the gentleman from Florida [Mr. SMITH] has expired.

(On request of Mr. SWINDALL and by unanimous consent, Mr. SMITH of Florida was allowed to proceed for 2 additional minutes.)

Mr. SWINDALL. Mr. Chairman, will the gentleman yield for a question and a colloquy?

Mr. SMITH of Florida. I yield to the gentleman from Georgia.

Mr. SWINDALL. I thank the gentleman for yielding.

Mr. Chairman, the question is: How many U.N. Secretariat's offices and U.N. missions are contained in either the Soviet Union or the Soviet-bloc countries?

Mr. SMITH of Florida. It is obvious that there are very few, and mostly because the headquarters of the United Nations is here, and most of the work that they do is not in the Soviet Union.

Mr. SWINDALL. That is my whole point. That is the focal point, among other areas, of this legislation. It is no accident that we have much of the spying activity emanating out of offices that are unique to this country because we allow, if you will, the United Nations to base in our country. There is no counterpart upon which retaliatory measures could be taken, first.

Second, I think that it is very important to recognize that today Libya and Libya alone has any type of restrictions of the magnitude that we suggest here. Certainly we are not naive enough to believe that Libya is the only country that poses a threat to our own intelligence in this country, our own technology in this country, yet that is the state of the world today—we recognize only Libya as a threat if you are to match those types of restrictions that we place on Libya to the others.

Mr. SMITH of Florida. The gentleman is not exactly correct. Travel restrictions have been issued against others than the Libyans and foreign diplomats. There are radius requirements on a number of other organizations and others represented.

The problem is that we have basically unimpeded access in most countries around the world except for the Soviet Union.

The CHAIRMAN. The time of the gentleman from Florida [Mr. SMITH] has expired.

(By unanimous consent, Mr. SMITH of Florida was allowed to proceed for 1 additional minute.)

Mr. SMITH of Florida. The reality is that every one of our organizations, both the administration, the Secretary of State, and our intelligence-gathering organizations that are responsible for what we want them to do overseas, what is our role overseas, indicate, and I read from one of their background papers, that they do not want a blanket restriction imposed, nor do they want to get into a battle which would ultimately reduce their capability of traveling overseas. They gave some indication of what the travel was of some of the attaches in the area that they deal with, and it has not been that extensive.

I am confident that this administration will continue to clamp down on the travel when it appears that our rules are being violated or our security is being impaired. We all agree that they are probably sending people here who are wolves in sheep's clothing. The problem is that we have some of our own agenda to run, and this has a very threatening aspect to it which the experts say should not be implemented. It is really that simple.

The CHAIRMAN. The time of the gentleman from Florida [Mr. SMITH] has expired.

(On request of Ms. SNOWE and by unanimous consent, Mr. SMITH of Florida was allowed to speak for 2 additional minutes.)

Ms. SNOWE. Mr. Chairman, will the gentleman yield?

Mr. SMITH of Florida. I yield to the gentlewoman from Maine.

Ms. SNOWE. I thank the gentleman for yielding.

Mr. Chairman, I think that the gentleman is overlooking one point, and that is that the Secretary does have discretion as to whether or not imposing these travel restrictions would invite reciprocity that ultimately would endanger our national security interests and restrict our activities in other countries.

Second, the gentleman mentions a report in which personnel of the Soviet Union have only requested on seven specific occasions to travel outside their travel area. I mention to the gentleman that those were the only seven occasions that we are aware of. Several years ago a KGB agent working for the United Nations approached a member of my staff about a Presi-

dential document that should not have even been known to exist. We reported it to the FBI which ultimately took the action of expelling this individual from the United States, and he went back to the Soviet Union. But that is an incident which we were able to bring to the attention of the U.S. Government. Had we not brought it to the attention of the U.S. Government, obviously it would not have been known.

The point is that we do not know the extent to which these individuals are engaged in intelligence-gathering operations. So I think that the travel restrictions the gentleman from Georgia is attempting to impose are reasonable because the Secretary will have the discretion to make decisions to the contrary.

Mr. SMITH of Florida. Mr. Chairman, it is a very, very good argument that the gentlewoman makes, except for one thing. The gentlewoman discounts or in fact does not acknowledge at all that the ability to do so already exists within the Department of State through the executive capability of the President. There is no reason, as a matter of fact, to pass this amendment, because this could be done already.

If you are going then to blanket restrict and then have them opt out or be allowed out by waiver, you have sent a very chilling signal which our own experts, our own intelligence-gathering network, says is the wrong thing to do. And in this particular case I personally would urge my colleagues to listen to the experts on this particular issue. This is where their expertise lies, and this is where they know what they need to do.

Mr. BARTON of Texas. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I will not take the entire amount of time. We have let the rhetoric I think become a little bit hotter than the actual amendment at hand. I would like to refocus it, if I could.

What the gentleman from Georgia is attempting to do is to rein in some of the Communist countries and their allies from roaming around this country. He proposed adding eight countries or organizations—the African National Congress, China, Hungary, Nicaragua, Romania, South Yemen, the Southwest Africa People's Organization, and Syria—to the list of restricted nations or organizations as far as traveling in this country.

I think that that is a pretty straightforward amendment. The gentleman from Florida I believe made reference to the fact that the Soviet attaches did not make but seven trips outside of Washington. Well, they did not have to. They had all these other folks running around loose, and the fact of the matter is that if you do not believe that there is a terrorist network and you do not believe that these organizations interact, then you have not been

reading the newspapers, you have not been studying up on what is really going on.

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I think this is a fairly straightforward amendment. It would not unduly restrict the workers, the employees of the missions and the embassies from doing what they ostensibly are here to do, which is to conduct diplomatic activities in the city in which they are assigned.

For that reason, I think the gentleman should be commended for offering the amendment, and we should vote on it in a very positive fashion.

Mr. HALL of Texas. Mr. Chairman, will the gentleman yield?

Mr. BARTON of Texas. I yield to the gentleman from Texas.

Mr. HALL of Texas. Mr. Chairman, I thank the gentleman for yielding and of course I rise in support of the amendment.

I think the major test is not what the President thinks of this amendment nor the Secretary of State, but what the amendment people think of it, and I really challenge each Member of this body to go among your districts and ask or make the inquiry as to whether or not they are in favor of allowing foreign agents from the Soviet Union, its satellites and client states to conduct the host of subversive activities that they are free to conduct today; I think that is the major test.

If my colleagues remember about 4 years ago we had a bill up relating to the United Nations, giving an opportunity to have the U.N. hosted every other year by Russia. Of course, that would show the difference in the lifestyle, the security, the privation that is known by the citizens over there. I think those are the tests we need.

I also think we should address the fact that about 45 years ago today Yamamoto and the Japanese fleet limped back from the Battle of Midway that left the Pacific safe. And I think about 270 years ago today a fellow named Napoleon met his Waterloo. I think those two are significant in that this is an effort to restrict and to protect this country. And to follow on that with what George Washington said when he addressed the Congress and he said when you go through the Augean stables of government, put the Americans on guard, and I think that also includes protecting this area.

Surely this is a step in the right direction. Surely we want to mandate tighter travel restrictions.

I really and truly challenge every Member to ask himself and to ask his constituents, and I would say that not 9 out of 10 but 99 out of 100 would be in favor of this amendment, and I thank the gentleman for yielding.

Mr. ARMEY. Mr. Chairman, will the gentleman yield?

Mr. BARTON of Texas. I yield to the gentleman from Texas.

Mr. ARMEY. Mr. Chairman, I thank the gentleman for yielding. I will very quickly make three points.

I am in support of the amendment. I think it is a judicious thing to do and necessary thing to do.

In that regard, let me remind the Members of this body it was not but about 3 years ago that when a Soviet guard discovered our Major Nicholson in Eastern Germany where the Soviet guard suspected he ought not be, he fired on and shot the major. The major then was left to lay and die while his driver was restrained from going to his aid by Soviet guards in East Germany.

There has been and there is today some doubt whether or not the major was spying, was not spying, whatever. But in East Germany, Soviet guards do not give Americans the benefit of the doubt; they give them a bullet.

I might also mention that I made a recent visit to Mount Alto with a defector from the Soviet Union who had been a KGB agent in the Soviet Union.

The CHAIRMAN. The time of the gentleman from Texas [Mr. BARTON] has expired.

[On request of Mr. ARMEY and by unanimous consent, Mr. BARTON of Texas was allowed to proceed for 2 additional minutes.]

Mr. ARMEY. Mr. Chairman, will the gentleman yield?

Mr. BARTON of Texas. I am happy to continue to yield to the gentleman from Texas.

Mr. ARMEY. Mr. Chairman, the gentleman who had defected as a KGB agent from the Soviet Union told me that the Soviet Union will generally have up to 30 percent of their diplomatic personnel who will be KGB agents in the United States and elsewhere. When I asked him about other Eastern European-bloc nations, he said the ratio was about the same.

Finally, let me mention for those who do make an argument, and I think a very interesting and convinc-

ing argument, that there may be times in which it would be better for us to not exercise this restraint on travel, the gentleman from Georgia has provided a waiver here that allows the Secretary of State, in consultation with the Director of the CIA, to exercise that waiver, so it need not necessarily be enforced rigorously. But to the extent that it is deemed to be in our national interest, the Secretary has the authority to do that, and that is far better than giving a Soviet KGB agent a bullet for the benefit of the doubt.

Mr. SWINDALL. Mr. Chairman, will the gentleman yield?

Mr. BARTON of Texas. I yield to the gentleman from Georgia.

Mr. SWINDALL. Mr. Chairman, I would just like to briefly address several of the points the gentleman from Florida [Mr. SMITH] made which I think are slightly confusing to the record.

First of all, with respect to the status of individual countries that are limited to the same restrictions as Libya, there are no others. Libya and Libya alone is limited to the five-borough area of New York City.

It is true that there are other nations that have a 25-mile radius restriction, nations that are equally as dangerous I think as Libya, nations like the Soviet Union, the North Koreans, the Iranians who are limited.

The CHAIRMAN. The time of the gentleman from Texas [Mr. BARTON] has again expired.

[By unanimous consent Mr. BARTON of Texas was allowed to proceed for 2 additional minutes.]

Mr. SWINDALL. Mr. Chairman, will the gentleman yield?

Mr. BARTON of Texas. I continue to yield to the gentleman from Georgia.

Mr. SWINDALL. But there are other nations that have absolutely no radius restrictions whatsoever. These include China, Bulgaria, East Germany, Poland, Czechoslovakia, Nicaragua,

and Cuba. I think that is a significant number of countries that have no such restrictions.

Finally, I would suggest that there is a substantial difference between these types of restrictions placed and then require the Secretary of State to make waivers, as opposed to giving blanket, full unlimited accessibility to our country, and then saying it must be restricted on a case by case basis. The reality is we have too lax and it is time that this Congress stood in and said these are the restrictions, we want to be reasonable, and if you think that there ought to be waivers, tell us what those waivers are, why you think, for example, Nicaragua or China or East Germany or Poland deserves to have absolutely no restrictions whatsoever.

Mr. BARTON of Texas. Mr. Chairman. I yield back the balance of my time.

Mr. SWINDALL. Mr. Chairman, I include the following materials from the State Department and a former American intelligence of the CIA to be inserted into the RECORD:

1968 ANNUAL REPORT ON THE IMPLEMENTATION OF THE FOREIGN MISSIONS ACT OF 1982, AS AMENDED (P.L. 97-241), APRIL 1987

COUNTRIES SUBJECT TO OFPM TRAVEL RESTRICTIONS

Embassies and Consulates: Afghanistan, Bulgaria, Cuban Interests Section, Czechoslovakia, German Democratic Republic, Poland, USSR.

UN Missions and Secretariat Officials: Afghanistan, Bulgaria, Byelorussia, Cuba, Czechoslovakia, German Democratic Republic, Iran, Libya, Mongolia, North Korea, Palestine Liberation Organization, Poland, Ukraine, USSR, Vietnam.

Miscellaneous: Bulgarian Office of Commercial Counselor, Bulgarian Travel Office in New York, Czechoslovak Tourist Office in New York (CEDOK), Czechoslovak Financial Office in New York (OMNI-TRADE), Czechoslovak Commercial Section in New York, German Democratic Republic Commercial Affairs Office, Polish Tourist Office in New York (ORBIS), Polish Office of Commercial Counselor in New York, USSR International Cotton Advisory Board, Soviet news media personnel.

USSR

Regulations	Categories						
	Diplomatic, consular (incl. TD's); press, military attaché, news media personnel; & Aeroflot (annexum A)	USSR missions at the UN (incl. Byelor. & Ukrainian missions)	UN Secretariat personnel	Tourist personnel	Business residents (Amlorg, Sovtrach, Belarus, Marine resources, UZTEC, and Soviet clergy) (annexum B)	US-USSR exchange programs and delegations (incl. short-term visitors)	Tourists
1. Must submit TSIs for air and ground transp. and hotel acc.	Yes	Yes	Yes	No	No	No	No
2. Inv. note submitted to EUR/SCN/USUM, FID:	Yes	Yes	Yes	Yes	Yes	No	No
3. Itinerary submitted with visa:	NA	NA	NA	No	NA	Yes <sup>1</sup>	No
4. Subject to closed areas:	Yes	Yes	No	Yes	Yes	No	No
5. Time requirements (annexum A):	Yes	Yes	Yes	Yes	Yes	No	No
6. Subject to 25-mile radius (annexum C):	Yes	Yes	Yes	Yes	Yes	Yes	Yes

<sup>1</sup> Any change in make-up of categories of visitors must be approved by EUR/SCN. Notifications and approvals of such changes are conveyed to the FBI. OFM receives no additional info.

<sup>1</sup> UN Missions (incl. UN Observer Missions)



## ON CAPITALIST FLESHPOTS

There is a long-standing myth that Soviet officials stationed in bourgeois capitals are bound to succumb to the temptations of material comforts and joys not available at home. Give them a chance—and they'll choose our side. A congressman in the late 1960s could not be convinced that \$100,000 on the table and the assurance of a prosperous life in the West was not a ready formula for inducing them to defect: "What's wrong with these guys anyway?"

The KGB man stationed in the West today has a good life. No jump in the Soviet standard of living during the last thirty years has been greater than that of the KGB official assigned to New York, London, or Bonn.

In the late forties most Soviet officials in European capitals led a compound or barracks life. They lived and worked in tightly controlled premises. Each was required to sign out and in for any outside foray. Even a KGB officer had to account for his actions whenever he left the "office." Officials went out to shop only in groups of at least three or more, with one man responsible for their proper conduct and safe return.

With few exceptions up to Stalin's death, the family of each official was kept in Moscow as hostage for his good behavior. Yet even the KGB man was required to be celibate. No in-house adultery or affairs within the Soviet community were tolerated. They were puritanical in the narrowest sense and were required to set an example of good Bolshevik behavior: scandals were out.

Sexual liaisons outside the community were forbidden, not so much for fear of blackmail (sexual entrapment in London or New York, Moscow knew, was not a common practice as in Moscow), but for fear of being compromised. Girls in bars or brothels were, in the KGB view, agents of the British or American security services, and could easily rifle the pockets of their coats, identify them, and trap them into indiscreet behavior on future visits.

The first Soviet wives who came out after the war had a sorry lot: they served as cleaning women, cooks and waitresses in a strictly self-sufficient community. A notorious fight among the wives took place in New York many years ago on the issue of who would clean up after the October Revolution celebration.

All that has changed.

Today the private life of a KGB officer in New York is like that of a middle-class American. He can eat out at a good local restaurant, see movies and plays, rent a summer cottage in Long Beach, go on picnics in the parks or the countryside, spend the day at Coney Island—and he can shop.

The Soviet official in bourgeois capitals is an inveterate bargain shopper. He scours the retail stores and makes friends with shopkeepers. He sometimes takes along a bottle of vodka as a present, and expects a *quid pro quo*: a five to ten per cent discount. He favors electronic items, hardware, shirts, and records, sometimes buying thirty or forty records at a clip. An indispensable item for his wife is a fur coat to take home to Moscow.

There is at least one case a year in Manhattan in which a Soviet official is caught shoplifting—and almost always at low-price stores.

There are no import restrictions on Soviet officials returning home on leave or permanent change of assignment. They are a major source of scarce goods for the black market, though some have become record collectors for their own pleasure.

Only a negligible number of Soviet officers have any serious interest in the arts (in

contrast to their Polish and Czech colleagues). Most of them are heavy eaters and drinkers, and New York is a good place for both. Most excursions to New York restaurants are made by paired couples, congenial and Russian-speaking foursomes in which all can relax. They favor medium-priced restaurants—even when they are taking along a "foreigner" on the KGB expense account. Many reportedly are reluctant to go home after their tours, but they do—with full trunks.

Reports on their sex life are hard to come by, for the least that can be expected from an operations officer is to keep secret his own love affairs. From what we have learned around the globe, they are not restrained by a puritan sexual ethic only recently dissolving in Western society, but their fornications and adulteries are, for the most part, confined to the Soviet colony. A man can sleep with his colleague's wife much more securely than he can have an affair with an outside woman, yet most affairs on record are with single women. Some overt homosexuals are kept on the KGB payroll for their obvious operational attractions. Being overt, they cannot be blackmailed for their homosexuality.

Sex and money are the main handles for the KGB's recruitment of foreigners. Neither is an effective weapon against it.

There is a relevant footnote to this failure to be sucked in by the fleshpots.

One notable trait of the ethnic Russian case officer in New York I had already been impressed with in New Delhi: he takes enormous pride in being a Russian (not simply a Soviet citizen). There is in him a powerful and deep ethnic, almost religious faith that lies deeper than the patriotic loyalty to a state. The Russian is a man neither of the West nor of the East: Russia lies uniquely between the two, and it is to this narrower nationalism that many Russians, most of them only one or two generations removed from their villages, are instinctively bound. There is a broader sense of pride: *his* society is working, for it is making its mark in the world; and *his* service is working, the best service in the world (now that KGB officers no longer come to a lethal end, as under Stalin).

The CHAIRMAN. The question is on the amendment offered by the gentleman from Georgia [Mr. SWINDALL], as modified.

The amendment, as modified, was agreed to.

## AMENDMENT OFFERED BY MR. DORNAN OF CALIFORNIA

Mr. DORNAN of California. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. DORNAN of California: Page 55, after line 25, add the following new section:

## SEC. 192. MEMBERSHIP OF BYELORUSSIA AND THE UKRAINE IN THE UNITED NATIONS.

The President shall instruct the United States Ambassador to the United Nations to introduce in the General Assembly of the United Nations a resolution to cease the recognition of Byelorussia and the Ukraine as members of the United Nations.

Mr. DORNAN of California (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from California?

There was no objection.

## MODIFICATION OF AMENDMENT OFFERED BY MR. DORNAN OF CALIFORNIA

Mr. DORNAN of California. Mr. Chairman, I ask unanimous consent to modify the amendment as agreed to previously with the majority side of the aisle.

The CHAIRMAN. Is there objection to the modification?

There was no objection.

The text of the amendment, as modified, is as follows:

Amendment, as modified, offered by Mr. DORNAN of California: Page 55 after line 25, add the following new section:

## SEC. 192. MEMBERSHIP OF BYELORUSSIA AND THE UKRAINE IN THE UNITED NATIONS.

The President shall conduct a review of whether the United States should introduce in the General Assembly of the United Nations a resolution to cease the recognition of Byelorussia and the Ukraine as members of the United Nations, and shall, within 90 days of enactment of this Act, report his recommendation thereon to the Congress.

Mr. MICA. Mr. Chairman, will the gentleman yield?

Mr. DORNAN of California. I am happy to yield to the gentleman from Florida.

Mr. MICA. Mr. Chairman, I would like to point out that the gentleman has an amendment that would require certain actions of the General Assembly of the U.N. or the U.S. Government to take in that General Assembly. The amendment has been modified to create a report that would come to the Congress to give us information on this action, and we do accept that modification.

Mr. DORNAN of California. Mr. Chairman, just briefly, for the edification of my colleagues, and for anyone who may be following the proceedings on the House floor today, in 1945 when the United Nations was first formed out of the meetings in San Francisco, that term "United Nations" had been used all during the war in a less formal way, just united nations of the world band together for freedom against the Axis powers. When the 51 original nations were finally brought together in this great dream of hope, lo and behold, as a 12-year-old child I discover that the Soviet Union has three votes in the General Assembly. Suddenly there are these two so-called republics out of the 15 in the Soviet Union—actually there were 16 then. Finland had not yet managed to escape to a state of freedom and autonomy. But here we have Byelorussia, sometimes called White Russia, and the Ukraine, which had been terribly crushed with purges in the 1930's where millions upon millions of Ukraine farmers were deliberately starved, a country that really deserved to be independent. The Ukraine, the breadbasket of Europe, was instead crushed inside the Communist organization of socialists, so-called republics, and suddenly the Soviet Union had not only its permanent seat along with four other nations, and all of them freedom loving because Communist